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September 22, 2009

**VIA CM/ECF**

The Honorable James Orenstein  
United States Magistrate Judge  
225 Cadman Plaza East  
Room 456 North  
Brooklyn, NY 11201

**Re: *In re Payment Card Interchange Fee & Merchant Discount Antitrust  
Litigation, 1:05-MD-1720-(JG)(JO)***

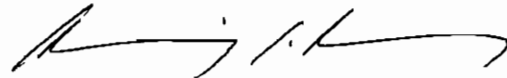
Dear Judge Orenstein:

We respectfully submit as additional authority in support of Class Plaintiffs' Motion for Class Certification the Court of Appeals' opinion in *In re Flag Telecom Holdings, Ltd. Securities Litigation*, 574 F.3d 29 (2d Cir. 2009).

We also submit as additional authority in support of Class Plaintiffs' Motion for Class Certification, and in opposition to Defendants' Motion to Exclude Opinions of Dr. Gustavo Bamberger, the court's order and opinion of September 4, 2009 in *In re ATM Fee Antitrust Litigation*, 2009 U.S. Dist. LEXIS 83199 (N.D. Cal. Sept. 4, 2009). The material relevant to those motions is on pages \*18-\*30 and \*44-\*46 of the opinion.

Respectfully submitted,

BERGER & MONTAGUE, P.C.



By: Merrill G. Davidoff  
For Co-Lead Class Plaintiffs' Counsel

MGD/sll  
Enclosures

cc: (w/encls.) (via CM/ECF and Lexis-Nexis File & Serve):  
Counsel for All Parties